

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

MAR 29 2013

UNITED STATES OF AMERICA
Plaintiff/Respondent,

vs.

LINDSEY KENT SPRINGER,
Defendant/Movant.

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

Case No. 09-CR-0043-SPF
Civil Court Case No. 13-CV-145-
SPF-TLW

MOTION FOR EXTENSION OF TIME

Lindsey Kent Springer ("Movant") moves the Court for an order extending the time in which to file a Motion to Recuse or Disqualify under 28 U.S.C. § 144 and 455 respectively.

The time period for filing such motion(s) under § 144 is "ten days before the beginning of the term at which the proceeding is to be heard." Section 455(a) directs that any judge shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. Section 455(b)(1) directs the Judge disqualify himself if he has a "personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding..."

The minute order assigning the civil case number 13-CV-145-SPF-TLW was issued on March 11, 2013, post marked on March 13, 2013, and received by Movant on March 15, 2013. Doc. 476.

The Court's recent order, Doc. 478, was issued on March 15, 2013, and was post marked March 18, 2013.

There are certain issues regarding certain decisions made by Judge Friot in the criminal proceeding which may necessitate the need to address what Judge Friot would have done had he been aware of certain changes in the law at the time he made certain decisions and communicated with Movant on issues relevant to many Constitutional claims made by Movant in his Motion filed under § 2255. Doc. 472-475

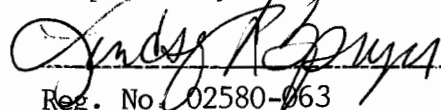
The Respondent would not be prejudiced by this Court granting Movant a 30 day

extension to file any Motion and Affidavit under 28 U.S.C. §§ 144 and 455.

Movant's concern is premised upon having a proper and fair determinations of the issues in this case. This Court's recent orders demonstrate a need for Movant to consider filing the Motions and Affidavit and 30 days would allow sufficient time to make that determination.

Therefore, Movant respectfully requests the Court extend his time to file any Affidavit or Motion under both 28 U.S.C. §§ 144 and 455 to include April 26, 2013.

Respectfully Submitted



Reg. No. 02580-063

Federal Correctional Institution

1900 Simler Ave

Big Spring, Texas 79720

CERTIFICATE OF SERVICE

I hereby certify that I mailed the above Motion for Extension to the Court Clerk U.S. District Court, Northern District, 333 W. Fourth Street, Tulsa, Oklahoma, 74103; on March 25, 2013:

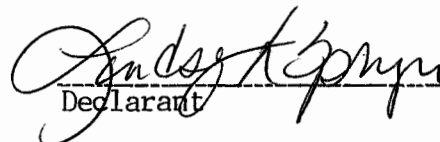
I further certify that all parties are ECF users and will receive service of process through this Court's ECF system:

UNITED STATES OF AMERICA



Declaration

I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746(1) under the laws of the United States of America that the facts asserted in my motion for extension are true and correct; and that on March 25, 2013, I deposited the above Motion for Extension in the U.S. Mail Box, First Class, postage prepaid, inside FCI Big Spring, Texas Federal Prison.



Declarant